

ORIGINAL

In The United States Court Of Federal Claims

FILED

No. 11-588C (Judge Bush)

FEB - 5 2014

U.S. COURT OF  
FEDERAL CLAIMS

by [signature] & [signature] judge

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ANIS ATTIA, \*

*Pro Se Plaintiff,* \*

v. \*

THE UNITED STATES, \*

*Defendant.* \*

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**PLAINTIFF'S MOTION TO SUPPLEMENT THE ADMINISTRATIVE RECORD**

1. Plaintiff seeks discovery and supplementation of the administrative record. Some of the records to be added, while not previously submitted to the Agency, are needed to further prove the arbitrary and capricious nature of the ABCMR Decision. Additionally, plaintiff's claims evolved since his reinstatement to active duty, and defendant has not been helpful in providing him with records in order for him to develop full claims. Many of plaintiff claims are based on his assumption considering the facts. Plaintiff requests for information were ignored. Plaintiff and this Court need the information requested to ascertain whether defendant followed proper procedure in reinstating plaintiff, or if it acted in bad faith.

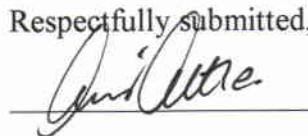
2. The claims regarding plaintiff's discharge are fully documented with the exception of the sworn statements obtained in the course of investigating plaintiff's complaint of wrongs, the redacted evidence submitted by plaintiff for his complaint of wrong, the investigation report related to plaintiff's equal Opportunity complaint, and the investigation report related to plaintiff's Army Inspector General Complaint. Plaintiff would also the interviews for his initial

Top Secret security clearance to be added to the Administrative record as it shed light on some bias by previous supervisors. These records are necessary for the court to address issues related to Awards, Decorations, and Evaluations Reports.

3. Plaintiff also request discovery of all of Department of the Army and DFAS electronic communication (e-mails) and any Memorandums related to his reinstatement and Back Pay. These documents will be necessary for the litigation as many of the claims listed in plaintiff's amended complaint occurred after the ABCMR decision voiding plaintiff's Discharge. Plaintiff did not make an elaborate statement in his amended complaint and will make a supplemental filing or a more definite statement once he receives all the documents he needs to draft an informed brief. Additionally, plaintiff requests his ABCMR application as well as the ABCMR decision to be included in the Administrative Record. Finally, plaintiff requests his permanent profile and the Medical Evaluation Board Narrative Summary to be added to the record.

4. For these reasons, plaintiff respectfully requests that the Court grant Plaintiff's motion to supplement the Administrative Record and, if necessary, compel discovery.

Respectfully submitted,



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January 18, 2012

Plaintiff, *Pro Se*